

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

YEHUDA HERSKOVIC,

Plaintiff,

-against-

VERIZON WIRELESS,

Defendant.

Case No.: 1:2019-cv-03372

**DEFENDANT CELLCO
PARTNERSHIP D/B/A VERIZON
WIRELESS'S SUPPLEMENTAL
STATUS REPORT RE
ARBITRATION**

Case Removed: June 6, 2019

Compelled to Arb.: March 6, 2020

SUPPLEMENTAL STATUS REPORT RE ARBITRATION

The parties have met and conferred regarding arbitration before the Better Business Bureau (“BBB”), and Plaintiff Yehuda Herskovic (“Plaintiff”) has stated that he is currently in the process of attempting to initiate the arbitration; however, Plaintiff does not consent to the filing of this report as a “joint” report. Plaintiff had apparently intended for the letter he sent to the BBB dated March 15, 2021 to be an attempt to initiate arbitration under protest. Plaintiff reiterated that he does not believe that his claims are subject to arbitration, but states that he will arbitrate his claims in order to comply with the Court’s order.

Defendant Cellco Partnership d/b/a Verizon Wireless, incorrectly sued as “Verizon Wireless” (“Defendant”) has not yet received any notice from the BBB that an arbitration has been commenced pursuant to Plaintiff’s March 15, 2021 letter (received on March 22), hence the recitals within the Status Report submitted on March 31, 2021. During the meet and confer, Plaintiff informed counsel he had also filed a “Complaint” against Defendant before the BBB on or about March 26, 2021, a copy of which Complaint was first received by Defendant on April 7, 2021, directly from Plaintiff. Upon these clarifications, Defendant respectfully requests that the Court set a deadline for a further status update regarding the arbitration and the

entitlement, if applicable, by Defendant to file an Order to Show Cause for dismissal, 90 days from the date of this status update.

We thank the Court for its time and consideration, and stand prepared to provide any further information required.

Dated: New York, New York
April 8, 2021

Respectfully submitted,

Howard A. Fried

Howard A. Fried (HF2114)
McGIVNEY, KLUGER, CLARK &
INTOCCIA, P.C.
Attorneys for Defendant
Cellco Partnership d/b/a Verizon
Wireless, incorrectly sued as “Verizon Wireless”
80 Broad Street, 23rd Floor
New York, NY 10004
(212) 509-4420
hfried@mkcilaw.us.com

TO:

Yehuda Herskovic
Plaintiff Pro Se
225 Ross St.
Brooklyn, NY 11211